

PLANNING AND ZONING COMMISSION

MEETING MINUTES

OCTOBER 2, 2014

AGENDA

- 1. Life Time Fitness PUD, Outparcel
14-091INF
(Discussion Only)**
**7417 Sawmill Road
Informal Review**
- 2. NE Quad PUD, Subarea 3 – Wyandotte Woods Apartments
14-098FDP
Final Development Plan (Disapproved 1 – 6)**
**Wyandotte Woods Blvd.
Final Development Plan**
- 3. Brandon Park
14-096AFDP
Amended Final Development Plan (Approved by Consent 7 – 0)**
**7800 Brandonway Drive
Amended Final Development Plan**
- 4. Zoning Code Amendment – Temporary Signs
14-097ADMC
Zoning Code Amendment (Discussion Only)**
Zoning Code Amendment

Chris Amorose Groomes called the meeting to order at 6:30 p.m. and led the Pledge of Allegiance. Other Commission members present were, Richard Taylor, Amy Kramb, John Hardt, Victoria Newell, Todd Zimmerman, and City Council Representative Amy Salay. City representatives present were Jennifer Readler, Steve Langworthy, Jennifer Rauch, Marie Downie, Kristin Yorko, Dana McDaniel, Alan Perkins, Phil Hartman, Laura Ball, and Flora Rogers.

Administrative Business

Motion and Vote

Mr. Taylor moved, Mr. Zimmerman seconded, to accept the documents into the record. The vote was as follows: Ms. Kramb, yes; Mr. Hardt, yes; Ms. Newell, yes; Ms. Amorose Groomes, yes; Mr. Zimmerman, yes; Mr. Taylor, yes; and Ms. Salay, yes. (Approved 7 – 0)

Ms. Amorose Groomes said there are four cases on the agenda this evening. She said case 3, Brandon Park, was on the consent agenda and will be heard first as consent and determined the agenda order will be Case 3, 1, 2, and then 4. She said she received a request by email to leave Wyandotte Woods at its specified place on the agenda as there were some possibly running late and agreed with the request for it will be heard later. She briefly explained the rules and procedures of the Planning and Zoning Commission. [The minutes reflect the order of the published agenda.]

- 1. Life Time Fitness PUD, Outparcel
14-091INF**
**7417 Sawmill Road
Informal Review**

Ms. Amorose Groomes introduced this application for informal review and feedback regarding a potential minor increase in density and additional signs for the use prior to a formal application for a Final

Development Plan for a 7,200-square-foot free-standing emergency room as a medical office for a vacant parcel located at the southwest intersection of Sawmill and Hard Roads.

Jennifer Rauch presented this application and said it is approximately a two-acre site located in the northeast corner of the Life Time Fitness at the southwest corner of Sawmill and Hard Roads. She said the site was zoned in 2005 as part of the Life Time Fitness Planned District and shown as part of their final development plan to be come forward with a formal application for this site at such time it would be developed.

Ms. Rauch said the approved uses for this site include office and medical office which is the proposed application before the board tonight. She said the access for this site is gained from Hard and Sawmill Roads. She said the current access from Sawmill Road is a full access and with the improvements it will become a right-in right-out only access by the fall of 2015.

Ms. Rauch said the proposal is for a 7200-square-foot stand-alone emergency room with a main entrance drive with the building located in the center, but farther to the west with parking adjacent to the street frontages which is in compliance with the setbacks that were outlined within the development text. She said the development text includes a maximum area of 6,200 square feet and the applicant is proposing an increase in the density. She said the original density was based on the traffic generation for this and the applicant has indicated the increased area is based on this use, which would not increase the traffic generation. She said should the applicant move forward they would be required to provide an updated traffic study to validate the numbers.

Ms. Rauch said planning is requesting the Commission discuss whether the proposed increase in density should be considered minor and be eligible for a development text modification as they move forward with the final development. She said the development text has language that regulates the building materials, color schemes, and architecture that is complementary to the Life Time Fitness building. She said the proposed elevations show brick, EIFS, glass and metal panels. She said Planning is asking the Commission discuss whether the proposed elevations meet the text requirements.

Ms. Rauch said the development text for this outparcel provides a combination of signs, one ground sign panel on the existing Life Time Fitness sign at the Sawmill Road entrance at a maximum of 12-square feet and a wall sign with the maximum area of 35-square feet to be located on the building. She said the proposal has a significant number of signs that exceed the text. Ms. Rauch said Code would permit additional sign allowances, which the Commission could permit with a future application.

Ms. Rauch reviewed the three discussion questions for the Planning and Zoning Commission.

Ms. Amorose Groomes asked for the applicant to step forward.

Steve Meier, Director of Development Hummel Investments, LLC, 8117 Preston Road, Suite 120, Dallas, TX, said his client is a healthcare organization that is a free standing emergency room with E.R. trained physicians and nurses with a full diagnostic capabilities including a C.T. Scan, Digital X-Ray Sonogram, and in-house laboratory. He said the size increase will not increase traffic flow because the average customer count is only 10-12 patients per day because it is emergency care and not a doctor's office where 20 people would be seen while 40 people are in the waiting room and need a parking lot for 60 to 70 cars. He stressed there is no incoming ambulance service to this building, but do to meet the State Health Department requirements to accommodate transporting someone to a hospital in the event they need a higher level of care than can be provided. He said the trip generation is so low to this facility it is not a use in the I.T.E. manual, they did a study of 5 of their locations for two weeks and counted cars to provide a trip generation report to show they are the lowest traffic generating use. He said they have about 4 to 6 employees per shift with 1 doctor per 12 hours, 2 to 3 nurses and administrative type people with a total of employees being 30 to 40 because they are a 24/7/365 days a year operation as required

by the State Health Department to remain a free standing unit, with all the jobs being primary wage earner jobs.

Mr. Meier said the site plan is almost identical to the layout that is in the approved Life Time Fitness plan with a little larger footprint at 15 percent. He said the 6,200-square foot building originally planned was driven by what they thought the use might be with an estimated parking need. He said they are proposing landscaping that exceeds Code because Life Time Fitness also required landscaping that faced their facility. He said they have made efforts to save the landmark trees and mitigated the trees that would have to be removed to develop the site. He said they are matching the brick on the Life Time Fitness exactly as a requirement of Life Time in addition to the site plan. He said they are proposing their signature entry tower which does not exceed the height limit and the balance of the building is significantly shorter than the height limit.

Mr. Meier said this is a very expensive per square foot building and is a top notch facility and a 3.5 million dollars building and 7,000-square feet and is fine and nice materials and well-made building meant to last a long time.

Ms. Amorose Groomes said there is a sign in sheet for comment and two signed up to speak, they will go first and if anyone else would like to provide comment they will be glad to hear their thoughts.

Randy Roth, 6987 Grandee Cliffs Drive, President of the East Dublin Civic Association, said they didn't know about this project until this week. He said they like having Life Time Fitness at this location and the tree preservation that is being done along Hard Road is great. He noted a concern that the access had been consented to only right in and right lane out as explained by Traffic Engineers of the dangers, but the applicant had gotten approval from Columbus to have a full access into this site. He said that the control of access along Sawmill Road is not determined by Dublin and is determined by the City of Columbus. He said a better site for an emergency facility would be at Emerald Parkway and Sawmill Road with a full signalized access and that this is a legal use but they have identified the applicant and has concerned with the business.

Ms. Amorose Groomes asked if there were anyone else that would like to speak to this application. [There were none.]

Ms. Kramb asked why this was not considered a hospital use. Ms. Rauch said the definitions in the Code for hospital describes the length of stay greater than 24 hours, where a medical use is not a long term stay. She said the proposed use as explained by the applicant was there is not an overnight stay and it has been determined to be medical office.

Ms. Kramb asked if it is medical office, what sign provisions would be allowed by Code? Ms. Rauch said the size of signs would be determined by the length of the building wall for a wall sign. She said it would allow up to 80 square feet with two wall signs because the site has frontage on two rights-of-way. She offered the comparison with the development text, which allows a tenant panel on the existing ground sign and a wall sign.

Ms. Kramb said she noticed there would not be any signs along Emerald Parkway or at the Hard Road entrance so no one will know to use those entrances. She asked whether the work being done along Sawmill Road to add a southbound lane toward I-270 would require additional right-of-way taken from this parcel.

Ms. Kristin Yorko said they do not need right-of-way from this site, but there will be some temporary construction space needed.

Ms. Kramb said this is a horrible traffic location and for someone in an emergency situation trying to find this facility without signage along any of the other access into this site it will be a nightmare. She said there are 2 amazing trees along where they indicate a drive access and doubted the trees will survive the construction. She said she is not supportive of a larger building or add additional signs.

Mr. Zimmerman said he could support the increase in density of 1,000 square feet and the parking is likely more than what will be needed for the use. He said in 2006 when this area was being developed the materials used were stone and brick and a certain look was maintained. He said this building is completely different and he would like to get the architecture to mimic the design in the surrounding area. He said the signs should comply with the development text.

Ms. Newell asked if the parking spaces were a response to the development text or the number needed for this type of use. Mr. Meier said they are showing 32 spaces which is more than enough being that it was reduced to accommodate additional landscaping after the meeting with staff. He said they only need about 3.2 spaces per 1,000 feet and in their opinion they are over parked and would be happy to eliminate pavement and add landscaping but the number of spaces is ample parking for the customers expected and the number of employees.

Ms. Newell said she does not object to increasing the size of the footprint if there were good proof that the parking is not needed and keeping the overall paved development on this site equally to preserve more trees and vegetation on the site. She said she is concerned with access to this site from Sawmill Road. She said there is another example along Frantz Road where it is a common accident point because people are cutting through a heavy traffic area to gain access to an existing urgent care facility. She said the signs should be limited to the development text. She said the architecture is not as cohesive as it could be with the other developments and the blue tented glass does not occur anywhere in the surrounding area and is objectionable. She said the proposal should be preserved as many of the existing stand of trees as possible.

Mr. Meier said they have done a tree survey and identified the dead/dying trees and the ash trees that will be eliminated and have taken a hard look at preservation and mitigation.

Ms. Newell said the access to this site would be a key to approving this application when they return with a formal application. Mr. Meier said they were aware of the right-in, right-out access and understood there was enough space to add a southbound lane without taking additional right-of-way.

Ms. Newell said the applicant will need documentation to prove they can do less parking and the Commission may have some willingness to consider a larger footprint within the text.

Ms. Salay asked if the left turn lane from Sawmill Road northbound was being eliminated with the construction of Sawmill Road.

Ms. Rauch said the information provided by Engineering indicated that in October 2016 the access to this site will only be right-in, right-out and the left turn lane will be eliminated.

Ms. Salay said she is not willing to depart from the development text and does not see this as a use for this site because of the access and existing trees. She said the business should want to maximize their visibility and not be hidden behind trees with poor access. She said the signs should be according to the text and the building materials of blue glass and aluminum does not fit the area. She said if they need canopies they should refer to the filling station at the Kroger's north of this site along Sawmill Road. She said the stone or brick pillars and the canopy are tied in with the building materials. She said the tower on this proposal does not belong and needs a lot of architectural work. She said she could be supportive of Ms. Newell's suggestion of larger building footprint if the parking lot was reduced if they do not need it.

Ms. Salay said they should meet with the neighbors and East Dublin Civic Association.

Mr. Hardt said does not support the increase in density and suspect a possible generator or oxygen tanks that is not on the site plan that will take up some of the green space and is extremely concerned with the circulation not only the external access to the site off Sawmill Road, but the internal circulation with the southwest corner driveway that connects with Life Time Fitness on a curve is alarming. He said the text requires earth tone materials that is not being met, spandrel glass is not permitted, and blank rear elevation, the 6/12 roof pitch is not met. He said he agrees the blue glass and the lantern feature it creates is not acceptable. He said signs should be limited to the development text requirements. He said his biggest issue is that the use does not fall into line with general or medical office and understands it does not fit the definition of a hospital but he does not think it is an either or proposition. He said free standing emergency rooms are a new beast that did not exist when the development text or Code was written. He said medical offices were contemplated with normal business hours and no disruptions to the surrounding community. He said this 24/7 facility has the possibility of ambulances with a potential to have significant disruption of the area and he said he does not agree it is an appropriate use for this zoning classification.

Mr. Hardt said they cannot control ambulances from coming into this facility and is concerned about the neighborhoods and surrounding area and if this comes forward as a formal application he would like to see some research into that issue of ambulances.

Mr. Taylor said he agrees with all the comments of the Commission. He said signs should not exceed the text requirements. He said the parking is not an issue. He said the density is not very concerning unless the additional building size results in the loss of any of the trees on the north corner nor should it be a minor text modification. He said the night pictures of other their facilities were on the web and he is not a fan of the tower at night being a beacon. He said the goal of the text of this outparcel was that the building be subdued. He said the architecture should be in compliance of the development text and be entirely earth tone colors and the 6 and 12 roof pitch has got to be the majority of the building.

Ms. Amorose Groomes said this site is a gateway to the City and they are expecting a gateway building and use and she wants it to be fantastic. She said the lot coverage will be a big issue for her and 1,000 feet of building or 1000 square foot of parking is a wash. She said it is a beautiful corner and it should remain a beautiful corner and hoping a beautiful building will fit in with this corner.

Ms. Amorose Groomes asked if there are any other points or questions for the commission.

Mr. Meier thanked the Commission and said he will take their concerns back. Ms. Amorose Groomes said they look forward to seeing great things.

2. NE Quad PUD, Subarea 3 – Wyandotte Woods Apartments 14-098FDP Wyandotte Woods Blvd. Final Development Plan

Ms. Amorose Groomes introduced this application for three multiple-family apartment buildings to exceed the permitted height of the development text for a vacant parcel in Subarea 3 of the Northeast Quadrant Planned Unit Development District. She said the site is located west of Wyandotte Woods Boulevard, 1,000 feet north of the intersection with Emerald Parkway and the Commission is the final authority on the final development plan. Ms. Amorose Groomes swore in all present to speak to this application, including the applicant and staff.

Jennifer Rauch presented this application and said this is a text modification for a site located at the southwest corner of Wyandotte Woods Boulevard and is currently an undeveloped parcel. She said the

site was zoned in 1999 consisting of multi-family with a density of 120-units. She stated the applicant has come to the Planning and Zoning Commission for two informal reviews to get feedback on the proposal. Ms. Rauch said the current application is a request for a text modification for the building height and displayed a slide outlining the review process for the benefit of the neighbors. She said the action tonight will be by the Planning and Zoning Commission and based on the outcome the applicant will proceed with one of the following options: a final development plan with approval to increase the building height, a final development plan compliant with the development text including the building height, or a rezoning/preliminary development plan with a recommendation from the Planning and Zoning Commission to City Council for final decision.

Ms. Rauch said this had been reviewed in May and July with the most recent plan being shown in July with three four-story buildings located on the main entrance drive that connects with the main access to Wyandotte Woods Boulevard with emergency access provided through Section 8 currently under construction. She said the building location is on the south side of the access drive with parking to the rear backing to the High School site with single family construction to the north and northwest. She said the applicant placed the buildings in this location to take advantage of significant topography, to provide a greater open space buffer to the neighborhood and to retain or preserve as many trees along the boundary as possible, particularly at the entrance of their site.

Ms. Rauch said the final details of the building layout will be reviewed at a different time. She said the proposed elevations indicate the height at 47 feet 6 inches with the development text permitting a 35-foot building height. She said the site section shows the proposed building at grade to where Code would measure the height at 47 feet 6 inches and using the grade showing the existing single family homes under construction a height comparison.

Ms. Rauch said there are five criteria that are reviewed as part of a minor text modification, which will need to be reviewed by the Commission. She said Planning's findings were the proposal is consistent with the Community Plan and while the three buildings are taller than permitted, the proposal design takes advantage of the topography of the site. She said the proposal places the building foundations 14 feet lower than the nearest single family house indicating that they are using the topography to make up the height increase. She said the proposed alteration does not alter the density that is permitted for this application. She said the proposed height increase allows taller buildings and provides a more consolidated development area, greater tree preservation and open space between the development and neighbors. She said the proposal does not hinder the applicant from meeting the final development plan criteria in the Code. She said the character of the taller buildings does exceed what is found in some Dublin neighborhoods; however, using the topography to minimize the overall height increase, its adjacency to the High School, the opportunity for greater open space setback and buffer from the neighbors, and the preservation of trees along the eastern edge of the property are important factors considered.

Ms. Rauch said Planning recommends approval of the proposed text modification recognizing the increase is not to exceed 47.5 feet to accommodate a building and site layout that utilizes site topography, ensures increased setback from the neighborhood and aims to preserve existing natural features, while updating the design concept consistent with elevations provided as part of this proposal in an effort that the architecture and character is in line with the preferences of the Planning and Zoning Commission during the informal reviews.

Ms. Rauch said there was a petition distributed through drop box for the Commission from the neighbors within the Wyandotte Woods Subdivision, as well as copies of emails that were received regarding this application.

Jason Kambitsis, Director of Land Development, A.R. Building Company, 310 Seven Fields Boulevard, Seven Fields, PA, said, Jeff Campbell, architect is here if there are any questions regards to architecture.

He said they met with staff on April 3rd to see what is expected and needed for this site and from there they met with the HOA and East Dublin Civic Association in a public meeting to talk about the proposal finding they wanted a large open space, emergency access left of the site, pedestrian circulation, and tree preservation. He showed existing buildings in North Fayette called Bright Oaks, which is a 40 unit, 4-story building with elevators and 1 and 2-story units at about a 50/50 split.

Mr. Kambitsis said they then met with staff and talked about height, building design and required documents for the May 15th submission. He said at the May 24th meeting they heard suggestions to look at Craughwell Village for architecture, hiding HVAC units, exposed lumber under the porches, integrating the Club House into the site, and the 4-stories height that can be considered with high quality architecture and design. He said they came back with a design that included a main gable on the roof, detailing around the windows, added an entry court on the front and arched doorways on the side entries, changed the materials to brick and stone. He said it was suggested that it was better to have a 4-story building with elevators than a 3-story building with breezeways as a neighbor.

Mr. Kambitsis said they are meeting with the HOA members the next morning with regards to the entry way to the site and will continue to meet with the community to talk to the design and plan.

Mr. Kambitsis said the text modification is to increase the height not to exceed 47.5 feet to accommodate a building and site layout that utilizes the site typography, ensures increased setbacks from the existing neighborhood, and aims to preserve the existing natural features. He said they have shown a higher quality building and want to continue to do a higher quality development project meeting the general development criteria with no adverse impacts with the buildings and layout working within the community based upon tree preservation, open space, and the architecture.

Ms. Amorose Groomes said there are a number of people signed in on the speaker sheets and will take those first and then hear the balance of thoughts from anyone wishing to speak. She reminded everyone as they come forward to state their name and address into the record for documentation of the events of tonight.

Jerry Kosicki, 4313 Wyandotte Woods, said he is a trustee of Wyandotte Woods Home Owners Association and a 20 year resident. He said they have submitted their petition against the height increase which was signed by 237 neighbors from 185 different households. He said the height increase is not a minor text modification. He asked the Commission to continue to uphold the high standard that will ensure continuing protection of their collective investments. He said three-story buildings are not the norm in Dublin although there are three story examples at Tartan West being 3-story residential units built over a first level of parking. He said this proposal is a full 4-stories of residential with no covered parking on the site with the surrounding neighborhood is 2-story single family houses, apartments and condos to the east. He said the proposed buildings are very large in scale by each footprint being 220 x 70 and they consider the height change unprecedented and a significant deviation from the Zoning Code and intrusive into the community and unacceptable. He said the planning report is careful to say the height may be approved because of the elevation changes to the site, however constructing taller buildings on lower ground does not make the buildings less tall and they will be highly visible from Hard Road, Wyandotte Woods Boulevard and the only structures neighbors to the east will see. He said this proposal is justified by saving more trees and land which much of the extra land will be used for parking and large roads and driveways and could be eliminated by placing the parking under the buildings as suggested to the builder.

Mr. Kosicki said when the zoning was created, the average size of one to two bedroom apartments were smaller than planned today and because there is no trade off or compromise on the size or number of units they believe it is important and fair to hold the line on the building height. He said the proposed buildings are higher than anything within the area and do not fit on the property, cannot be built without an unprecedented exception from the current building height and number of required parking spaces. He

said the vision of higher buildings of 5 or 6-storys is planned for the Bridge Street Developments which are supported only for that unique area of urban zone and the greater heights is something that Dublin will have to get used to and as it only applied to Bridge Street. He said these standards of 4-storys should not be applied to other neighborhoods such as Wyandotte Woods, Muirfield, Riviera Redevelopment, Tartan Fields or Ballantrae and felt residents would find a yes decision on this proposal to be highly disturbing and out of character for Dublin. He said new Bridge Street norms should not affect neighborhoods elsewhere in the City were the impact of large scale buildings have not been carefully studied, not appropriate, nor welcomed and where there is nothing to be gained for it and asked that they vote no on the proposal for extra height.

Brian Pero, 7794 Lanham Court, said he is a new resident of Wyandotte Woods, but is a 15 year resident of the City of Dublin of which this is the 3rd home he has owned in the City of Dublin and is the only home where he would be within a stone's throw of a 4-story residential building. He said he also lived in Earlington Village which has an apartment complex situated within Athenry with a 2-story building and well maintained which is setback from the road with a well-manicured property and is intrusive to the surrounding neighborhood. He said he does not know why since he has moved to the other side of the river why he should expect any lower quality of lifestyle, surrounding of ambiance with respect to his home and asked that they vote no to this exception.

Scott Haring, 3280 Lillymar Court, said he does not live in this neighborhood and attending because he is interested in the process of things and has lived in the City for over 15 years and he attends about three planning commission meetings per year. He said this case has puzzled him especially after sitting through the July meeting to try and figure out what was going on with the height issue because the facts were that the maximum height was 35 feet and the applicant requested to go higher and many board members said they would consider going higher and that puzzles him. He said the display presented tonight regarding building a tall building at the end of the lot it is not so bad and he doesn't understand. He said the only analogy that his house off of Martin Road could be called a 125-foot high relative to the Scioto River but a negative 30-feet below Sawmill Road of which he does not understand. He said he does not see a minor change asking to put an entire additional story about what is currently allowed. He said the heights allowed in the Bridge Street District is for a special area and asked if the height is being considered because of the PUD process because a lot of the details of a PUD are negotiable and is this what is truly at stake when there is a PUD in for a hearing. He said he hopes they will vote no and say 4-stories of residential living is not allowed in East Dublin.

Randy Roth, 6987 Grandee Cliffs Drive, President of the East Dublin Civic Association, said if this was a rezoning it would not be accepted by today's standards and the Association does not feel that it is inspired architecture for a building of this size despite the changes. He said the drawing for a 4 building design was uninspired and not done in a serious 4 building solution and they would like to have a chance to look at that option in a creative way to determine how much greenspace would be lost in return for a lower height and more in scale with the high school and residential neighborhood. He said they worked hard on the plan for this site and every time there was disapproval on a plan they have gotten something better never where they are asked to do something that isn't as good as before. He said this plan is not as good as they had asked Homewood to do and is concerned that this plan is going in the wrong direction and asked that they vote no.

Kathy Harter, 7825 Holiston Court, said she is one of the trustees at Wyandotte Woods Civic Association. She said they are concerned that minor text modifications are being voted on by the Planning Commission and not before City Council because the big picture for the City decisions and precedents. She said when they built their home the builder informed them of the multiple family site down the hill that was not planned or any possibility that it would be a 4-story development because of the height limitations in the zoning. She said the intent was to blend in with the area and a 4-story development will be overwhelming and out of place. She said stating that the roof tops will look like they are on the same plane will look similar and in reality the view from the residences this building will look at of place.

She said they have asked for perspectives of the view from Kroger or from the homes within Wyandotte Woods and they have not made these examples available. She said they do appreciate the developers meeting with the homeowner's tomorrow at 7 a.m. to look at the entrance area and keeping the vegetation close to proximity to the entrance is experience in the neighborhood. She said everyday there were petitions being dropped off looking at only the 4-stories they have a strong look about what the neighbors are feeling.

Herman Shen, 4337 Wyandotte Woods, said he has been a resident for 23 years and agrees with the neighbors. He said he jogs this area every day and a 4-story building with 120 units generating 300 people with the cars could not be enough space and would be very crowded. He said if they were going to building for the amount of units they would need more space for parking and recreation. He said this site is not big enough and would not be fair for the proposed residents of this development and asked that they reconsider this application.

Brett Page, 7638 Kelly Drive, said he is on the Board of Zoning Appeals and Code is something he actually likes to review and he is concerned that this text modification is being isolated from final development plan review as in 153.053 why are they not talking about a text modification not in the deep analysis of a final development plan because this looks sneaky. He said they are being asked how does this development feel in the neighborhood focusing on looking at the top of a building on Wyandotte Woods on the closest side of this development and forget about the rest of the building with the first story being hidden. He said the Enclave was concerning because it was hidden and this proposal will not be hidden when you feel the buildings, but this is in-material because they are looking at a text modification and not a final development plan and suggested the application be tabled because he doesn't feel it is in the Code to be isolated.

Jennifer Readler said the Code does provide for a minor modification determination by the Planning and Zoning Commission and can be considered with the final development plan and is part of the final development plan application. She said the issue with this application is for the Commission to determine if the proposal does or does not meet the criteria for a minor modification and for the applicant to gain a determination before spends additional time and money on the proposed concept. Ms. Readler the text modification, if granted would not approve or automatically grant the height, and the applicant would have to come back with a detailed design in final development plan and be reviewed and approved by the Commission. She said the text language is also linked to architecture and all the details that are part of the review.

Mr. Page said they are premature in assuming this text modification is something they should be approving because the other proposals have not had an in-depth analysis in his opinion and they just want something that fits better within the neighborhood. He said he has seen 3-story buildings around other areas that seem massive and he can only imagine what 4-stories are going to look like. He asked for deeper analysis of this before they put this text modification to a final vote or say no and make them go back to zoning and work on this together. He said the zoning for this has been questioned of what was approved 20 years ago and in years to come people are not going to think about the nuances they are just going to see the zoning and text modification for a 4-story within a residential neighborhood and will not look into the details and builders will come in and pick away at the nuances and make them forget about them. He said he knows this is what happens because he sees it happen at the Board of Zoning Appeals and has heard this in their strategies and this Board should think about when making their final decision.

Steve Koesters, 4312 Wyandotte Woods, said he agrees with many of the thoughts from his neighbors and makes him proud of the community because they care. He said he has lived in Dublin for eleven years with this being his first real house and loves the open space and the green and it has an appeal about it. He said you cannot hide 4-storys and even though they cannot change the zoning from 20 years ago but can make sure it fits within the neighborhood. He urged the Commission to vote no and

said they are talking about 12 feet down from the top of the hill and is one of the highest points on the street and then go down 12 feet and add an extra story it will not fit.

Waleed Muhann, 4304 Wyandotte Woods, said he lives in his home with his wife and 5 children and running out of space and will be coming to request a minor modification to increase the height of his house by 2 stories. He said if they were to approve it he would have his brother and cousins move in and would be in his best interest to get them to rent space. He said his point is the dangerous precedent for the City and if it is minor to go 12 feet higher above Code then why not 15 or 50 feet. He said all Dublin residents have a vested interest in protecting property values and ensuring quality of life in their neighborhoods. He said the proposed development jeopardizes those interests. He said he understands the developers desire to maximize their profits, but it should never be at the neighborhoods expense. He said he is concerned that this development will affect his objectives for a quality life and for those reasons he urged the Commission to vote no.

Sue Hutras, 7834 Silver Rose Court, said she is the Davis PTO president and there are a lot of enrollment concerns at this time especially in East Dublin. She said Davis Middle is over enrollment and by 2016 is expected to over by at least 100 students, Chapman, Old Sawmill, Riverside, and all the elementary schools on the east side of Dublin are all over capacity and by 2016 they are all expected to be grossly over enrollment. She said they should look at the information and know that 120 units don't fit and she is disappointed that this site was ever zoned for 120 units within the neighborhood. She said she didn't expect that 12 years ago when she moved from Hilliard. She said she expected high quality within the neighborhood and this development will bring down the value of her property. She urged the Commission to vote no.

Paul Smith, 4385 Wyandotte Woods, said he has lived in Dublin for over 2 years and grew up in Worthington. He said he is the president for what use to be Pacer International and now is XPO. He said his move to Dublin was because of the esthetically difference in the community for the surrounding community because of the control around what was built, how it was built and what it looked like and specifically when you drive through Wyandotte Woods it is beautiful with the trees and open area and walking paths and peacefulness of the community. He said he understood that this project was up the street the whole time but never fathomed they would be having a conversation about a building of this size. He said his office building is a large 3 story building and couldn't imagine a building as proposed fitting in the neighborhood and encouraged them to vote no on this issue.

Chris Brownlowe, 7725 Kelly Drive, said he is new to the neighborhood and the height change based on the plans creates a large parking lot that backs up to a football stadium that is empty most of the time and he is concerned that this will cause a crime issue because of the vehicles sitting out and the only way to emulate that is to have lots of bright security lighting which would make it look like the Kroger parking lot which is now blocked by the trees. He said he is concerned about creating a large parking lot along the woods accessible to the jogging path with an increased crime rate and wondered if it was a consideration how it will affect the neighborhood.

Josh Dritz, 4228 Clifton Court, as he sat through the emergency room project and heard the feedback and the amount of attention that has been given to the corner of Sawmill and Hard Road and asked that the same attention be given to their neighborhood in terms of impact, visibility, and what it does to the City.

Ms. Kramb thanked everyone for coming out and understands this is a complex site with many issues. She said she feels for the neighbors and has lived through growth and knows it is hard to watch the growth of buildings and places. She said they know that something will develop on this site, and Planned Unit Development allows the flexibility for some give and take. She said she did tell the applicant she is willing to give on some height for some really good buildings and has to see a lot of detail to allow the height. She cannot separate the height from the details. She said without the details she cannot allow change in the existing development text that could allow developers coming along to have the same

height. She said 12.5 feet is not minor and fails the review criteria. She's willing to give on some of the visual impacts if there are a lot of other positives, but would need to see the list together. She said she disagrees with the criteria analysis in the planning report and thought that it fails in leaving out the context of the all of the other details.

Mr. Zimmerman said he appreciates the neighbors coming and has been in the audience many times. He said this is zoned for 120 units and was trying to get the best 120 unit complex possible. He said he does not live there and is now looking at it differently based on the feelings and concerns as expressed in the letters and petitions of the surrounding neighborhood. He said he is not in support of the text modification.

Mr. Taylor said he does not consider the 11.5 feet height increase to be minor but it is a procedural word in the Code and they have been extremely clear that the height would never be granted unless the quality of the project was up to standards that would be imposed being tied to the architecture. He said the existing development text shows a drawing from 1995 of a really lack luster building that would be un-approvable today which is the bases for the very early design replaced with the current elevations of the proposed buildings with quality materials and design which becomes the base standard for this site. He said the text modification gives the developer assurance that he can proceed with his investment in this project and more importantly it gives the Commission the assurances they are going to get the quality high standard buildings even if the property gets sold. He said the final development plan will have ample opportunity to work out all the details to make sure it is at a high standard of design and quality of materials.

Mr. Taylor said this is the best proposal they have seen for this site. He said he has always looked at this as balancing the zoned 120 unit buildings location versus the height. He said he is willing to accept the higher building to cover less land if they push these buildings to the south having less impact on the surrounding properties.

Mr. Hardt thanked everyone for coming to the meeting and said they are volunteers that talk about issues that impact the City and there are usually very few people in the room. He said it is very beneficial and they are appreciate hearing the feedback.

Mr. Hardt said one of the benefits to having a PUD document that governs development is that there is give and take between the developer and the City and that raises the standards over and above what the Code permits. He said with this site there is a development text from 20 years ago that is weak and this review is an opportunity to improve. He said he is mildly supportive of the text modification to include higher buildings. He said the typography of the site is only one of the considerations and believes the project has the potential to be a better project because of the more compact footprint and preserves greenspace and trees and the distance between the buildings and the single-family homes. He said there are construction issues too that the developer has agreed to build with internal elevators and without breezeways which is a significant issue in making these buildings good neighbors. He said there is a significant upgrade in exterior materials with brick and stone and the balcony's and railings makes for a better project on day one with better longevity.

Mr. Hardt said he is supportive of the increased height because of the things they are getting from it and agrees that this is not minor, but it is a procedural question and recognizes this is a significant policy issue on the part of the City and has significant impacts outside of this project and does need a thorough and full review at the Commission as well as at City Council. He said he agrees that the developer is on the right track and the proposal is better than they have seen in the past. He said at this stage of the game they are just promises and the documents should be incorporated into the zoning text to replace the 1995 drawings so the entirety of the resulting document represents a commitment of give and take.

Ms. Readler said they are only voting on this revision to the text if it were approved tonight the applicant would come back with a final development plan review, if it is disapproved it doesn't mean they are never going to get the height, it is a different procedure they would have to come through for a rezoning if they wanted the increased height so that would be a hearing at Planning Zoning Commission and a recommendation at City Council.

Ms. Salay thanked all the neighbors and knows what it is like to come to a meeting and be afraid for their property values and quality of life and concerns about their neighborhoods. She said she hears tonight that they are not comfortable with going to four stories because they are next to one of the nicest beautiful neighborhoods and that is further affirmed. She said she doesn't think this is a minor text modification because they are looking at four story buildings in proximity to single-family homes. She said the neighborhood was aware of the multi-family project but expected it to fit in with the neighborhood and this does not. She said the developer has a lot of work to do with the neighborhood to make sure this is something that does fit. She said she would not want that in her neighborhood because it is too tall and out of context and is something that is envisioned for the Bridge Street Corridor and it was not envisioned for this location. She said she will not support this as a minor text modification and would support voting no.

Ms. Newell said for everyone that sits on the Planning and Zoning Commission they are often on because they have been in similar situations as the neighbors and appreciates when residents come in and speak their mind. She said this application is difficult because of what can go on the site and that is their struggle because it is approved at a 120-unit development seeing several applications of what that could look like to the surrounding property. She said she has walked the site and it is beautiful with the grove of trees and she would want to preserve as much greenspace and tree space as possible. She said there is a pay back with that and with a development as approved would mean that most of the site would be covered with parking and individual buildings. She said she cannot support this being a minor text modification without being tied to the architecture and knowing what the final results are as part of the development text.

Ms. Amorose Groomes said she does not have a lot to add to the comments and is appreciative to the community coming out because she believes communities are better when people are involved and believes in government of the people by the people and for the people. She said they respond to the things brought before the Commission and they did not bring this as a minor text modification, it was presented to them to weigh in and evaluated. She said she would like to dispel anything is done behind closed doors or sneaky and they want to hear all their thought tonight because they want to do everything by the light of day. She said they have been in this discussion of if four stories okay and it is a tenuous situation of preserving the land versus increasing the height with the density remaining the same. She said the highest density permitted on a piece of property has always been earned by the highest level of architecture and the highest level site amenities that they bring. She said in order to achieve the 120 units they have to bring forth the best and brightest of all the site conditions and she is very familiar with this site and it is a wonderful piece of property. She said she cannot look at this in isolation and it is a big deal with a significant impact and was supportive of minimizing the impact to the site and look at them achieving the maximum density that were permitted by the zoning classification with earning that with the highest level of architecture, but without looking at them as a whole it is impossible to make the judgment call without all the details and if this is disapproved it does not kill the project it simply sets the path as how are they going to proceed as a community what is best for this piece of property.

Ms. Amorose Groomes asked the applicant what their wishes were for moving forward with this application.

Mr. Kambitsis said they would like to see a yes vote on the text modification with the intent to connect it to the architecture as a base line in the sense that they have never had any intention of getting this

passed and moving on because of the time and expense to get to this point having met with the community over the last 5 months leading up to this and they want direction for what happens next.

Motion and Vote

Mr. Taylor moved, Mr. Zimmerman seconded, to approve the modification of the development text. The vote was as follows: Ms. Salay, no; Ms. Newell, no; Mr. Hardt, no; Ms. Kramb, no; Ms. Amorose Groomes, no; Mr. Zimmerman, no; and Mr. Taylor, yes. (Disapproved 1 – 6)

**3. Brandon Park
14-096AFDP**

**7800 Brandonway Drive
Amended Final Development Plan**

Ms. Amorose Groomes introduced this application for the construction of a new fishing dock and enhanced walking paths for an existing park located on the north side of Brandonway Drive, west of the intersection with Brandbury Place. She said the Commission is the final authority on the final development plan, for which we will need to swear-in. Ms. Amorose Groomes swore in all present to speak to this application.

Ms. Amorose Groomes said the presentation is not needed for a consent case and asked if there were anyone in the general public that would like to speak to this application. [There were none.]

Ms. Amorose Groomes said there were no conditions on the application.

Motion and Vote

Mr. Taylor moved, Mr. Zimmerman seconded, to approve this amended final development plan. The vote was as follows: Mr. Hardt, yes; Ms. Kramb, yes; Ms. Amorose Groomes, yes; Ms. Newell, yes; Ms. Salay, yes; Mr. Zimmerman, yes; and Mr. Taylor, yes. (Approved 7 – 0)

**4. Zoning Code Amendment – Temporary Signs
14-097ADMC**

Zoning Code Amendment

Ms. Amorose Groomes introduced this application for an amendment to the Zoning Code to revise regulations for temporary sign regarding commercial and industrial For Sale/For Lease Signs. She said the Commission will forward their recommendation to City Council for the Zoning Code Amendment.

Steve Langworthy presented this Zoning Code Amendment and said City Council asked that the signs and permits be addressed and for staff to provide basic information and alternatives regarding what could be done with temporary signs. He said staff prepared a memo for City Council showing the locations and came up with 120 different permits for temporary signs at different locations primarily in commercial, retail and office locations. He said they identified issues and talked about the issues that Council had also identified. He said they use the term temporary signs but it appeared that these signs were always in the same locations for the same buildings saying the same things and did not appear there was a temporary nature about them. He said the reasons for that were discussed and how to monitor the Code compliance. He said the issue was the difficulty in monitoring the vacancies noting that in many cases even if the building was fully occupied the owner would have leases that would be expiring and they would be soliciting to backfill the spaces that would be vacated shortly. He said other concerns were the visual clutter of the number of signs and the spacing of the signs between separation and how they looked along the roadside.

Mr. Langworthy said alternative language requirements were forwarded to City Council, who then asked to forward as an amendment to the Planning and Zoning Commission review for recommendation onto City Council.

Mr. Langworthy said one of the issues that was discussed with City Council was sign separation. He reviewed the current Code requirements and discussed the issues resulting in the amended Code to 153.160 (A) Development Signs, to set a distance of 50 feet where two signs are permitted to be consistent with the change made for the For Sale/Lease signs and replaced a complicated formula for separation.

Mr. Langworthy said the other aspect was location as they are typically close to the right-of-way and current Code requirement has an 8-foot distance from only the front property line. He said the proposed amendments include modifying the current section related to signs with special conditions section. He said this section is a mix of temporary sign provisions and permanent provisions, and the proposed amendments remove every temporary sign provision from this section and put them in the temporary sign section.

Mr. Langworthy said there were formatting and word clarifications in the amendments to make things easier to find and provided clarifications. Mr. Langworthy said they also changed references for clerical changes.

Mr. Langworthy said they took this opportunity to put in some minor amendments for the development signs for the separation for the two signs. He said for garage and yard sale signs they extended the removal time from two hours to 24 hours because they have not had the ability to do a two hour monitoring. He said entry features is only in the aspects of the encroachment requiring City Council and City Engineer approval.

Mr. Langworthy said the bulk of the amendments deals with the Commercial/Industrial and For Sale/For Lease signs. He said the annual permit provision stays in place and is required for each year. He said the biggest difference is in the size changes. He said newly constructed office buildings or retail buildings get a 32-square-foot, 8-foot tall sign which what they are permitted for a year period and following they are required to reduce it to 16-square-foot, 6-foot tall sign. He said window signs have been reduced to 4-square feet.

Mr. Langworthy said the review criteria are met and a recommendation of approval to City Council is proposed.

Ms. Salay said she brought this topic up at City Council because they spend so much time on architecture and landscaping and making the community beautiful and there are signs that are large and detract from the property. She said she has seen these types of signs on the same properties for 12 to 15 years advertising for a vacancy that does not exist and in effect are a billboard for the company that owns the building. She said she does not buy the idea that this is valuable for people that are looking for space in Dublin to have these signs up to identify the developments that have vacancy space.

Mr. McDaniel said economic development does not do business by these types of signs, but they use software and subscriptions to sites that are online to identify a vacancy in each building and suite in Dublin. He said there is no real excuse for the real-estate community or someone to be hunting on behalf of someone not to have that and would offer that over time and soon this would be an incremental change to having none of these signs. He said this might be different in retail sittings where there are small store fronts for lease in windows. He said this is online and people that are looking are using a broker or call the City and have many ways to find available space and he thinks there is a point where technology overcomes the need for signs on the property.

Mr. Langworthy said he met with economic development staff before he amended the Code and they said that over time this will become an obsolete method.

Ms. Salay said this amendment is a beginning and she would like to limit the provisions to one sign per development and if this is phasing out to make it a small sign.

Ms. Kramb said retail space is okay to have a small sign in the window of the unit.

Ms. Salay said Council looked at this and was not happy that these signs can be up in perpetuity but also did not have the information that Mr. McDaniel just shared.

Ms. Amorose Groomes said all they are doing is trading big signs for smaller signs.

Mr. Hardt said he is supportive of cleaning this up but only had a few questions, but in light of what was just said if the day is coming where it is not necessary than why not today.

Mr. McDaniel said he struggles with it incrementally because there will be a room full of realtors or developers and would want to be fair to phase it into and inform the community that the new Code is coming to change the regulations into commercial areas and maybe some will begin to not renew and start phasing the temporary signs out.

Mr. Hardt said it might be a solution to allow the temporary signs for new buildings for the first 24 months and then they will phase away over time.

Ms. Amorose Groomes agreed with Mr. Hardt that the permits will not be renewable and easing them into it with not being renewable.

Ms. Salay said if they limit one smaller sign per development at 12 month duration and renewal only for 6 months, so the longest a sign can be up is 18 months and we will require over the next 6 months that people start phasing out the big signs upon renewal.

Mr. McDaniel asked that they take this amendment back and re-think the revisions and policy on phasing signs out.

Ms. Amorose Groomes asked if there were anyone from the general public that would like to speak to this application. [There were none.]

Communications

Ms. Amorose Groomes asked if there were any communications to be relayed and discussed.

Ms. Rauch said the proposed 2015-2016 meeting dates will be in the next packet to be considered on October 9th.

Ms. Rauch said October 6th City Council is conducting a work session related to Bridge Street.

Ms. Salay said City Council reviewed the preliminary plat for Bridge Park East and a presentation from Crawford Hoying included the cross section for Bridge Park Drive and asked that City Council review the street name and the change in building, bicycle track and sidewalk locations which made sense to Council. She said the meeting on Monday will talk about the process to keep moving forward to make it all work and determine the roles for review.

Ms. Amorose Groomes said they need to teach people how to treat them and until they put a hard line in the sand and not allow developers to skip a process and put the responsibility back on the developer to be prepared they are going to get excuses to try and skip processes.

Ms. Salay said they are open to public comments at the workshops and if someone wanted to share frustrations of the process it would be a good thing for Council to understand all of the perspectives.

Ms. Kramb said she is frustrated the economic development process allows development details such as the number of buildings or a site detail that hinders the Commission in their review.

Mr. Hardt said his experience with economic development agreements are finalized after the PUD has been reviewed and approved and he is lost why they are putting the economic agreement ahead of the project approval.

Ms. Salay said in most cases that would be the preferred way but there are circumstances that Council wants a development to go forward and it is difficult and has to be able to make decisions and keep the process moving.

Mr. Hardt said he was aware of Council being presented with something different because he watched it online and they have had many conversations about the City needing to establish what they want the streets to look like in the Bridge Street. He said should be made a matter of engineering standards that are non-negotiable and he was insanely disappointed to see City Council entertaining that conversation and allowing a developer to dictate what they wanted to build.

Ms. Amorose Groomes said they learned that lesson with the Edwards Building and it is frustrating to have to relearn the knowledge of that experience.

Ms. Newell said it does negate the efforts of the Planning and Zoning Commission.

Mr. Taylor said they had discussions of the locations of the buildings, the streets, bike lanes, materials and worked it out and the applicant took something different to Council and it was very frustrating.

Ms. Newell said they had also given support from the development and favorable responses to be turned around and changed to Council.

Commission Roundtable Discussion

Ms. Amorose Groomes asked if there were any roundtable issues to be discussed. [Hearing none.]

The meeting was adjourned at 9:58 p.m.

As approved by the Planning and Zoning Commission on November 6, 2014.